

REMARKS

References Cited The Applicant has observed that the Goodwin reference (U.S. Patent Application Publication No. 2002/0023057 A1) mentioned in the Office Action mailed 7/22/05 does not appear to be listed in the Applicant's Information Disclosure Statement, Supplementary Information Disclosure Statement, or the Examiner's Notice of References Cited. The Applicant nonetheless has considered the reference as if it had been so listed, and respectfully requests appropriate action be taken to provide notice of such reference in future correspondence from the Examiner.

The claims have been amended without adding new matter in order to correct minor informalities and to address other issues raised by the Examiner.

Claims ____ have been amended. Claim 15 has been amended to make the claim more grammatically correct.

Claims ____ have been canceled without prejudice.

_____(#) claims remain pending in the application: Claims ____.

Reconsideration of claims ____ in view of the amendments above and remarks below and consideration of new claims ____ is respectfully requested.

By way of this amendment, Applicants have made a diligent effort to place the claims in condition for allowance. However, should there remain any outstanding issues that require adverse action, it is respectfully requested that the Examiner telephone the undersigned at (602) 262-5355 so that such issues may be resolved as expeditiously as possible.

Claim Rejections - 35 U.S.C. §102

1. Claims 1-3, 5-6, 11-14 and 18-21 stand rejected under 35 U.S.C. § 102(e), as being anticipated by Hillmer et al. (U.S. Patent Application Publication No. 2003/0097330 A1). Respectfully, the Applicant traverses this rejection.

Claims 1-3

Regarding claim 1, the Examiner states that the Hillmer reference discloses, in its paragraph [0032] "comparing said financial transaction with zero or more previous financial transactions that occurred on a same day as said transaction and that comprise said identity information." The Applicant respectfully disagrees with this assertion, as the description in the Hillmer reference only compares a transaction "against a *positive* database" (emphasis added). Hillmer describes this "positive" database as containing "customer 102 identity information, including one or more of the transaction parameters from past transactions which have been determined to be *non-fraudulent*." More specifically, Hillmer's limited "positive" database contains information only for clients with acceptable past histories, since they "have a known good relationship with a vendor." Hillmer clarifies that the purpose of this database is to *suppress* rather than *identify* accidental fraudulent transactions, since "if the current customer 102 is found in the positive database 212, the transaction 100 is bypassed from further processing, and the transaction accepted." Hillmer's FIG. 2A supports this discussion, since the box 210, which is connected to the "positive" database, does a "check internal positive customer database", and if a match is found in the next step, the process goes to box 230, where the transaction is *accepted*. Furthermore, nothing in Hillmer recites the requirement that the transactions being compared all occurred on the same day, as is recited in Applicant's claim 1.

The Applicant also respectfully disagrees that Hillmer discloses "generating a report that comprises said identification information, and said additional information." The Hillmer reference at [0034] and [0060] discloses, for likely fraudulent transactions, only taking a vendor-specific action such as preventing delivery of the commodity or flagging the transaction. Nowhere does Hillmer disclose generation of a report comprising the customer's identification and additional information.

Regarding claim 2, as discussed above, the cited Hillmer reference discloses storing only transactions for positive customers in a database, not the previous financial transactions as claimed by the Applicant. In reference to claim 3, the Applicants also respectfully disagree that \$100 or "approximately \$100" is \$3,000, as claimed, an amount which is *thirty times* larger than the disclosed amount. Therefore, Hillmer does not disclose or teach the subject matter of Applicant's claims 2 and 3.

As Hillmer fails to anticipate all elements of the Applicant's claim 1, 2, and 3, the Applicant believes that the Examiner's rejection has been overcome, and respectfully requests withdrawal of the § 102(e) rejection. Furthermore, by virtue of their dependence upon an allowable base claim, claims 2 and 3 are also in condition for allowance.

Claims 5-6

Regarding claim 5, the Examiner states that Hillmer discloses at [0032] "storing daily transactions for financial transactions in a database." The Applicant respectfully disagrees, and refers to the discussion above regarding Claim 1, where the disclosed database is a "positive" database containing only records for acceptable prior customers. Hillmer does not disclose storing daily transactions in this database, rather, customer identification and "one or more of the transaction parameters from past transactions which have been determined to be non-fraudulent." This clearly diverges

from the claimed invention, where daily transactions are stored in a database. Again, Hillmer's "positive" database is meant to suppress rejections of customers, rather than to identify fraudulent transactions. Likewise, Hillmer fails to disclose at all aggregation of records by customer identifying information, as is required by the second element of the Applicant's claim 5.

Hillmer also fails to disclose generating "a second record of all said records from said summing step," storing the record for reporting, or reporting the record to a controlling entity. As discussed above in relation to claim 1, Hillmer, at best, discloses taking some action such as preventing delivery of the commodity or flagging the transaction. In fact, a careful review of the FIG. 2B by the Applicant's representative, and a computer search of the text of the Hillmer application fails to turn up any reference at all to generation or reporting of such records. Therefore, Hillmer does not disclose or teach all elements of the Applicant's claim 5.

In reference to claim 6, a computerized search of the text of the Hillmer application was unable to locate any occurrence of the number \$10,000, and respectfully, the Applicant further points out that the number \$10,000 is *one thousand times larger* than the number disclosed by Hillmer.

As Hillmer fails to anticipate all elements of the Applicant's claim 5 and 6, the Applicant believes that the Examiner's rejection has been overcome, and respectfully requests withdrawal of the § 102(e) rejection. Furthermore, by virtue of its dependence upon an allowable base claim, claim 6 is also in condition for allowance.

Claims 11-14

Regarding Claim 11, the Examiner states that Hillmer discloses "examining digitized images in a plurality of workstations," and "determining whether

a conditions is satisfied the indicates money laundering has occurred." The Applicants respectfully disagree. The cited paragraph of the Hillmer application (0042), discusses only considering transaction velocity parameters, and does not mention examining any kinds of images, especially digitized images, and fails to disclose any sort of examination at a plurality of workstations. As a further note, a computerized search of the Hillmer text does not turn up any hits for the words "laundering", "digitized," "images," or "workstation," and therefore, the Applicants assert that Hillmer fails to disclose or teach any element of the Applicant's independent claim 11.

Regarding claims 12-13, the cited paragraph of Hillmer (0042) fails to disclose or teach completion of any form, whether the completion is done in relation to financial transactions with a regular frequency or whether the forms are completed in relation to transactions totaling less than a threshold amount. Instead, the cited paragraph discusses calculation of transaction velocity, rather than completion of forms.

Regarding claim 14, referring to the discussion above, nowhere does the Hillmer reference disclose examination of images relating to transactions at post offices, and therefore, Hillmer fails to disclose or teach the limitations of Applicant's claim 14.

As Hillmer fails to anticipate all elements of the Applicant's claims 11-14, the Applicant believes that the Examiner's rejection has been overcome, and respectfully requests withdrawal of the § 102(e) rejection. Furthermore, by virtue of their dependence upon an allowable base claim, claims 12-14 are also in condition for allowance.

Claims 18-19

Regarding Claim 18, while Hillmer does disclose "a high transaction amount" and separately, "an unusually high frequency of orders," nowhere does the application describe a condition of concern arising a *plurality of consecutive* high-value

purchases that exceed a threshold value, as set forth in Applicant's claim 18. Regarding claim 19, as discussed similarly above, Hillmer's disclosure of \$100 as a threshold amount fails to teach or disclose an amount twenty times as large, namely, \$2000 as recited in the Applicant's claim 19.

As Hillmer fails to anticipate all elements of the Applicant's claims 18-19, the Applicant believes that the Examiner's rejection has been overcome, and respectfully requests withdrawal of the § 102(e) rejection. Furthermore, by virtue of its dependence upon an allowable base claim, claim 19 is also in condition for allowance.

Claims 20-21

Regarding claim 20, the Examiner states that Hillmer's FIG. 3A discloses "comparing a transaction to a plurality of transactions stored in a database." However, FIG. 3A is directed towards using data from databases to compute a fraud multiplier (see, e.g. box 416) and a total fraud score (see, e.g., box 430) and comparing this fraud score to a threshold (diamond 432). The Applicant's claim 20, on the other hand, compares a particular transaction to a plurality of other transactions, rather than to a computed fraud score as disclosed in Hillmer.

Regarding the second element of Applicant's claim 20, as described above, the Hillmer discloses a database for storing positive customer information, and rather than determining whether a transaction matches a plurality of transactions based on a match of the sender's name and zip code, Hillmer's database instead finds a match based on the prior *customer*. Specifically, Hillmer [0032] recites when a "current customer 102 is found in the positive database 212, the transaction 100 is bypassed from further processing and the transaction is accepted."

Further, as discussed above Hillmer fails to disclose summing a total

dollar amount of transactions, and while Hillmer does disclose at [0034] that a transaction may be cancelled and delivery of a commodity may be prevented, Hillmer does not teach or disclose advising a sales associate when a summing step exceeds a threshold.

Regarding claim 20, similar to the discussion above the Applicant respectfully points out that the amount of \$2000 is neither taught nor disclosed by the Hillmer reference, as the amount is twenty times larger than the disclosed amount of \$100.

As Hillmer fails to anticipate all elements of the Applicant's claims 20-21, the Applicant believes that the Examiner's rejection has been overcome, and respectfully requests withdrawal of the § 102(e) rejection. Furthermore, by virtue of its dependence upon an allowable base claim, claim 21 is also in condition for allowance.

Claim Rejections - 35 U.S.C. §103

2. Claims 4, 7-10, and 15-17 stand rejected under 35 U.S.C. § 103(a).

The Applicant respectfully traverses these rejections.

Claim 4

Claim 4 stands rejected under 35 U.S.C. § 103(a), as being unpatentable over Hillmer et al, U.S. Patent Application Publication No. 2003/0097330 A1 in view of Goodwin et al., U.S. Patent Application Publication No. 2002/0023057 A1.

As discussed above, the Applicant assert that Hilmer fails to disclose or teach the elements of claim 1, which is the base claim upon which claim 4 depends. The

Examiner further points out that Hillmer fails to disclose the method wherein said report comprises USPS Form 8105-A. The Goodwin reference is then cited in the Office Action to give support for disclosure of Form 8105-A. The Applicants respectfully point out that the USPS forms disclosure of the Goodwin reference is directed to subject matter not related to nonanalogous to detecting suspicious transactions; the disclosed forms in Goodwin are for certified mail (3800), return receipts (3811), and delivery confirmation(120). Even if Hillmer did disclose the subject matter of Claim 1, the combination of Goodwin's disclosed forms with the Hillmer would result in an inoperative combination, as there would be no capability on the form (whether it be certified mail, return receipts, and delivery confirmation) to report a suspicious transaction, and in the case of Form 8105-A, that a transaction exceeded a \$3000 threshold.

Since the combination of Hillmer and Godwin fail to suggest, teach, or disclose of Claim 4 of the present application, the Applicant respectfully asserts that the rejection of this claim under 35 U.S.C. §103(a) has been overcome, and Claim 4, therefore, is in condition for allowance.

Claims 7 and 15

Claims 7 and 15 stand rejected as being unpatentable over Hillmer in view of Lawrence, U.S. Patent Application Publication No. 2002/0138417 A1.

As discussed above with respect to independent Claim 5, upon which Claim 7 depends, Hillmer does not disclose, teach or suggest the elements of the independent claim. Therefore, the combination of Hillmer with Lawrence fails to teach, disclose, or suggest the Applicant's Claim 7.

Claim 15 has been amended to make the claim more grammatically correct. However, as Hillmer failed to disclose, teach, or suggest the invention as claimed in independent Claim 11 upon which amended Claim 15 depends, the combination of Hillmer with Lawrence is ineffective to teach or suggest the Applicant's claim 15. Further, Lawrence teaches, in the cited paragraphs, a method of managing risk associated with government regulation, such risks including financial transactions. In paragraph [0043] mentioned in the Office Action, Lawrence discloses a scrubbing routine to examine the spelling of names. However, the Applicant's amended Claim 15 discloses analysis of a plurality of images to determine whether transactions bear similar *handwriting*, an art that is distinguished from the spelling of the text characters of a name as Lawrence discloses.

Since the combination of Hillmer and Lawrence fails to teach or suggest the Applicant's Claims 7 and 15, the rejection of these claims under 35 U.S.C. § 103(a) has been overcome, and the Applicant respectfully asserts that these claims are in condition for allowance.

Claims 8-10

Claim 8 stands rejected as being unpatentable over Bosworth-Davis et al., U.S. Patent Application Publication No. 2003/0033228 A1 in view of Hamilton U.S. Patent Application Publication No. 2003/0167242 A1. Claims 9-10 stand rejected as being unpatentable over Bosworth-Davis and Hamilton as applied to claim 8, and in further view of Hillmer.

While Bosworth-Davis does disclose a person reviewing suspicious transactions, the disclosure as cited in the Office Action is limited in referring suspicious

transactions to a compliance officer, not determining whether an *employee* was compliant in reporting a transaction, as the Applicant's claim 8 establishes. Put another way, Bosworth-Davis fails to teach the step of determining whether an employee was compliant in reporting, or analyzing images to determine whether reporting was required. For example, Bosworth-Davis discloses at [0046] four actions that a compliance officer can take when a transaction is suspicious. None of the four disclosed actions teaches or suggests determining whether and employee was complaint in reporting, or generating a report that advises a field manager of noncompliance of an employee.

Taken alone, the Examiner acknowledges that Bosworth-Davis is insufficient to teach or suggest all the elements of Applicant's independent claim 8. The Office Action then points out that Bosworth-Davis in view of Hamilton renders the claim 8 unpatentable under 35 U.S.C. § 103. However, the Applicant would like to point out that the Hamilton reference is a commonly owned application (being assigned to the common owner -- the United States Postal Service), and since it would in theory only be available as a reference only under 35 U.S.C. §102(e) (except that it is not "by another"), it is precluded from being applied as a reference under 35 U.S.C. § 103(b). To wit, the Applicants attach to the appendix of this document a copy of the assignment agreement, conveying the rights of Hamilton to the common owner of the present application, the United States Postal Service.

Similarly, the application of Bosworth-Davis in view of Hamilton is inapplicable to claims 9-10 under 35 U.S.C. §103(b). Therefore, the rejection of claims 8-10 under 35 U.S.C. § 103(a) has been overcome, and the Applicant believes these claims to be in condition for allowance.

Claims 16-17 stand rejected as being unpatentable over Hillmer in view of Burke, U.S. Patent Application Publication No. 2003/0050889 A1.

As described above, Hillmer fails to disclose, teach, or suggest all of the elements of Claim 11, which is the base independent claim for claims 16-17. Further, in relation to Claim 16, at the cited paragraph [0046] Burke discloses only the process of scanning the front and back of a check. Burke fails to teach or suggest determining whether a *plurality of images* bear no payees or endorsers as claims 16 and 17, respectively, recite. Therefore, the combination of Hillmer in further view of Burke fails to suggest or teach all of the elements of claims 16-17.

Since the combination of the cited references fail to disclose, teach, or suggest all of the elements of Claims 4, 7-10, and 15-17, a prima facie case of obviousness has not been established. Therefore, the Applicant believes these rejections have been traversed, and respectfully requests removal of the objections under 35 U.S.C. § 103(a).

CONCLUSION

Applicants submit that the above amendments and remarks place the pending claims in a condition for allowance. Therefore, a Notice of Allowance is respectfully requested at an early date.

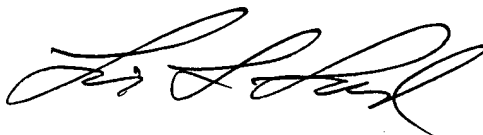
The Commissioner is hereby authorized to charge any additional fees which may be required for this amendment, or credit any overpayment, to Deposit Account

No. 502509.

In the event that an extension of time is required, or may be required in addition to that requested in a petition for an extension of time, the Commissioner is requested to grant a petition for that extension of time which is required to make this response timely and is hereby authorized to charge any fee for such an extension of time or credit any overpayment for an extension of time to Deposit Account No. 502509.

Respectfully submitted,

Dated: November 22, 2005



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APPENDIX

Assignment regarding Hamilton Reference, U.S. Patent Application Publication No.
2003/0167242 A1.



Form PTO-95
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City: Washington State: DC Zip: 20260

Execution Date: 4/30/03

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4. Application number(s) or patent number(s):

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A. Patent Application No.(s)

10/361,486

B. Patent No.(s)

Additional numbers attached? ☐ Yes ☒ No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Ivan Mlachak

Internal Address: Lewis and Roca LLP

Street Address: 40 N. Central Avenue

Suite 1500

City: Phoenix State: AZ Zip: 85004

6. Total number of applications and patents involved: ☐

7. Total fee (37 CFR 3.41).....\$ 40.00

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ASSIGNMENT

WHEREAS I, the below named inventors, (hereinafter referred to as Assignor), have made an invention entitled:

RETAIL SECURITY SYSTEM AND PROCESS

for which We executed an application for United States Letters Patent concurrently herewith or filed an application for United States Letters Patent on February 5, 2003, (Serial No. 10/361,486); and

WHEREAS, UNITED STATES POSTAL SERVICE, an independent establishment of the Executive Branch of the United States Government, whose post office address is 475 L'Enfant Plaza SW, Washington, DC 20260 (hereinafter referred to as Assignee), is desirous of securing the entire right, title, and interest in and to this invention in all countries throughout the world, and in and to the application for United States Letters Patent on this invention and the Letters Patent to be issued upon this application;

NOW THEREFORE, be it known that for and in consideration of the sum of One Dollar (\$1.00) in hand paid and other good and valuable consideration the receipt of which from Assignee is hereby acknowledged, I, as Assignor, have sold, assigned, transferred, and set over, and do hereby sell, assign, transfer, and set over unto the Assignee, its lawful successor and assigns, our entire right, title, and interest in and to this invention, non-provisional application Serial No. 10/361,486, filed February 5, 2003, provisional application Serial No. 60/354,418, filed February 5, 2002, and this application, and all divisions, and continuations thereof, and all Letters Patent of the United States which may be granted thereon, and all reissues thereof, and all rights to claim priority on the basis of the above applications, as well as all rights to claim priority on the basis of the above provisional applications, as well as all rights to claim priority on the basis of this application, and all applications for Letters Patent which have seen or may be filed for this invention in any foreign country and all Letters Patent which may be granted on this invention in any foreign country, and all extensions, renewals, and reissues thereof; and I hereby authorize and request the Commissioner of Patents and Trademarks of the United States and any official of any foreign country whose duty it is to issue patents on applications as described above, to issue all Letters Patent for this invention to Assignee, its successors and assigns, in accordance with the terms of this Assignment;

AND, I HEREBY covenant that I have the full right to convey the interest assigned by this Assignment, and I have not executed and will not execute any agreement in conflict with this assignment;

AND, I HEREBY further covenant and agree that We will, without further consideration, communicate with Assignee, its successors and assigns, any facts known to us respecting this invention, and testify in any legal proceeding, sign all lawful papers when called upon to do so, execute and deliver any and all papers that may be necessary or desirable to perfect the title to this invention in said Assignee, its successors or assigns, execute all divisional, continuation, and reissue applications, make all rightful oaths and generally do everything possible to aid Assignee, its successors and assigns, to obtain and enforce proper patent protection for this invention in the United States and any foreign country, it being understood that any expense incident to the execution of such papers shall be borne by the Assignee, its successors and assigns.

IN TESTIMONY WHEREOF, I have hereunto set our hands.

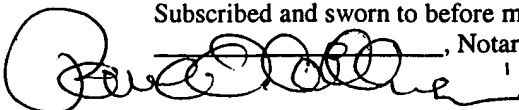
~~District of~~ County of _____
~~Columbia~~ State of _____

ss. Daryl HAMILTON

Date: 30 APR 03

Signature: 

Subscribed and sworn to before me this 30th day of APRIL, 2003
_____, Notary Public



Paul O. Collinson
Notary Public, District of Columbia
My Commission Expires September 14, 2005